1. Record Nr. UNINA9911034955103321 Autore Poon Jenny Titolo Counteracting Containment Policies in the EU: Safeguarding the Non-Refoulement Principle / / by Jenny Poon Cham:,: Springer Nature Switzerland:,: Imprint: Springer,, 2025 Pubbl/distr/stampa **ISBN** 3-032-08351-6 Edizione [1st ed. 2025.] Descrizione fisica 1 online resource (344 pages) Collana European Union and its Neighbours in a Globalized World, , 2524-8936 ; ; 31 Disciplina 341.2422 342.085 Soggetti Civil rights European communities Human rights Law - Europe Conflict of laws International law Comparative law Emigration and immigration - Government policy European Fundamental Rights and Freedoms **Human Rights** European Law Private International Law, International and Foreign Law, Comparative Migration Policy Lingua di pubblicazione Inglese Formato Materiale a stampa Livello bibliografico Monografia Chapter 1: Introduction: Setting the Stage -- Chapter 2: Non-Nota di contenuto Refoulement Protection under International and European Refugee Law -- Chapter 3: The Common European Asylum System and Non-Refoulement -- Chapter 4: Containment in Europe -- Chapter 5: The

United Kingdom and Non-Refoulement -- Chapter 6: Germany and

Non-Refoulement -- Chapter 7: Conclusion: Protecting Non-

Refoulement -- Chapter 8: Bibliography.

Sommario/riassunto

This monograph examines an individual's right not to be returned to places where they may be in danger of serious human rights violations (termed "non-refoulement"). It argues that EU asylum practices can lead to a failure to observe this important right. As dire consequences can result if individuals are returned to places where they may face death, torture, or other cruel treatment, the European asylum system must comply with non-refoulement. However, EU countries use various tactics, including legal measures, to "contain" asylum claimants and refugees to other countries and to evade their responsibilities to observe non-refoulement under international and European law. These 'containment' strategies are demonstrated in two case study examples: the United Kingdom and Germany. In the first example, the United Kingdom returns asylum claimants and refugees back to transit countries where they did not claim asylum. This method of 'containing' asylum claimants and refugees effectively increases the chances of them being indirectly returned to face violations of human rights. In the second example, Germany returns these claimants and refugees through transfer processes back to another EU country by relying solely on guarantees from national governments. This effectively "contains" the claimants and refugees outside of Germany, again increasing the risks of human rights violations. As violence and conflicts persist, this book contributes to existing literature by providing human rights law analysis with a unique lens of 'containment'.